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International Covenant on Civil and Political Rights

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Human Rights Committee
116th session

Summary record of the 3238th meeting
Held at the Palais Wilson, Geneva, on Wednesday, 9 March 2016, at 3 p.m.

Chair: Mr. Salvioli

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Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Seventh periodic report of Sweden

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Seventh periodic report of Sweden (CCPR/C/SWE/7; CCPR/C/SWE/QPR/7)

1. *At the invitation of the Chair, the delegation of Sweden took places at the Committee table.*

2. **Mr. Olsson Fridh** (Sweden), introducing his country's seventh periodic report (CCPR/C/SWE/7), said that his Government had adopted a new human rights strategy to ensure full compliance with Sweden's international obligations. That strategy included a proposal to establish an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). Other important developments included the commencement of the process of incorporating the Convention on the Rights of the Child into national legislation, plans for a new disability policy in 2017, and the adoption of a national action plan on business and human rights in 2015. The Government was committed to protecting and developing Sami culture and was working towards ratification of the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 1969) and preparing a review of the Act on National Minorities and Minority Languages. Some 6 million euro had been allocated to implement the strategy for Roma inclusion between 2016 and 2019.

3. Sweden had a feminist Government that was firmly committed to making policy choices and allocating resources in order to achieve gender equality. An action plan for a feminist foreign policy had recently been developed with the aim of enhancing the full enjoyment of human rights by all women and girls; sexual and reproductive rights were especially emphasized.

4. As Europe faced the worst refugee crisis since the Second World War, the Swedish people were showing great solidarity and defending the international right of asylum. In 2015, more than 160,000 asylum seekers had entered Sweden, some 35,000 of them unaccompanied minors, making it one of the European Union Member States with the highest number of asylum seekers per capita. There were plans to review of the entire situation concerning the placement and treatment of unaccompanied minors, including issues such as accommodation, legal representation and interpretation. The capacity of the Swedish reception system had been stretched, causing challenges in the fields of housing, education and jobs; there was a lack of school facilities and teachers as well as health care and social services. The Government had introduced temporary amendments to asylum legislation in order to ensure a sustainable and effective reception system; it was committed to working towards a new asylum system in the European Union, built on solidarity and a fair distribution of asylum seekers. Under a new law on reception, all municipalities would be required to settle new arrivals, taking into account local labour market conditions and population size. The Government had introduced labour market measures, complementary education and programmes for the validation of degrees and work placement in order to help integrate new arrivals and make use of their knowledge and skills. Regrettably, a number of asylum accommodation facilities had been set on fire and others vandalized, but fortunately nobody had been injured in the incidents. The police made every effort to ensure the safety of asylum seekers and their accommodation. Xenophobic, racist or violent extremist acts were investigated and preventive measures were taken.

5. In recent years, the number of vulnerable European Union citizens, including Roma, staying temporarily in Sweden had risen. The Government was involved in bilateral initiatives with Romania and Bulgaria and at the European Union level in order to

strengthen cooperation on social policies. Measures had been taken to protect persons in vulnerable situations against the risks of exploitation, forced labour or begging. A series of measures was also being taken to better investigate trafficking as well as hate crimes and the police was investing in outreach and information activities in order to address the underreporting of such crimes.

6. The promotion and protection of equal rights and opportunities for lesbian, gay, bisexual and transgender persons remained a priority; a proposal for stronger legal protection for transgender persons under criminal law was currently under consultation. A national plan against racism and hate crimes was due to be presented, with a focus on different forms of racism, such as Afrophobia, anti-Semitism, anti-Ziganism and Islamophobia. The police was stepping up efforts to combat hate crimes that threatened human rights, such as freedom of opinion and expression, particularly of journalists and politicians.

7. With regard to the investigation of complaints against the police, the new Department of Special Investigations, under the new Swedish Police Authority, had been in operation for over a year. Although it had been decided to establish the Department within the Police Authority for quality reasons, including access to a broad set of investigative skills, its budget was completely separate from that of the police and the director was appointed directly by the Government, thus ensuring independence. All citizens and foreign nationals in Sweden were protected against torture under the Swedish Constitution (known as the "Instrument of Government") and the ban on torture in the European Convention on Human Rights had the force of law in Sweden. A government inquiry had recently concluded the need to introduce a specific crime of torture in Swedish criminal law.

8. The Government was committed to combating violence against women and was investing in prevention programmes in schools, financial support to counselling centres for perpetrators and treatment programmes for offenders in the Prison and Probation Service. Although there was a general lack of data concerning the prevalence of violence against women and children with disabilities, public awareness was increasing and programmes targeting violence against women and children would include a disability perspective. The Government had allocated more than 10 million euro annually to organizations that operated women's shelters, including shelters for women with substance abuse problems, women with disabilities and women trapped in prostitution or human trafficking for sexual purposes. As part of the review of the Criminal Code provision on rape, the inclusion of a consent-based provision and a negligence offence was being considered and the reasons why so few reports of rape led to prosecutions and convictions were being examined.

9. A national counter-terrorism strategy had been approved in August 2015, based on the principle that fundamental rights, the rule of law and international obligations must be respected in all actions to combat terrorism. The national coordinator to safeguard democracy against violent extremism had been appointed in 2014, and was tasked with creating awareness of all forms of violent extremism and ensuring that preventive methods were developed nationally and locally. A bill on the right of access to a lawyer, which would strengthen the rights of suspects deprived of their liberty, was expected in the coming months. In closing, he highlighted the crucial role played by civil society, which had been consulted on the State party report, in advocating for human rights.

10. **Mr. Shany** commended the State party on the strong representation of women on the delegation. He said that the Committee was impressed with the way in which Sweden had addressed the migration crisis, which reflected the internalization of the highest values of solidarity. Welcoming the fact that the Constitution had been amended in ways that were conducive to the implementation of the Covenant, he said that the Committee would be interested to know to what extent the Covenant could be invoked by the Swedish courts. For example, was article 26, which was not paralleled in full by the European Convention,

and the Committee's case law and general comments on that and other provisions, part of the legal corpus on which the Swedish courts relied when implementing domestic legislation? Noting that the constitutional reform had introduced the right to a trial within a reasonable time, he asked what was considered a reasonable time. Were the various internal bodies in Sweden, such as local governance bodies and the Ombudsmen, aware of the existence and content of the Covenant and the Committee's case law, and could they rely on it in their work?

11. The Committee would welcome specific information on the number of prosecutions and detentions that had taken place pursuant to the Act on Criminal Responsibility for Terrorist Offences and how, in practice, certain rights and freedoms were restricted under the national counter-terrorism strategy. How did the Government strike a balance between human rights concerns and the need to ensure public safety, and did the national coordinator play a role in human rights protection? He invited the delegation to comment on concerns raised by civil society about ethnic profiling, particularly that Muslims were being unfairly targeted in counter-terrorism law enforcement activities, and on steps taken to increase awareness among the police of the need to refrain from such profiling. The Committee would appreciate information on new initiatives being considered in the aftermath of the terrorist attacks in Paris in November 2015.

12. With regard to surveillance, he asked what sort of legal supervision and safeguards were in place to ensure that the National Defence Radio Establishment did not abuse its authority when engaging in data mining. Specifically, it would be useful to learn how broad a net was being cast in terms of the data being mined; what safeguards, if any, existed with respect to the sharing of data with foreign intelligence agencies; and whether any decisions of the Foreign Intelligence Court or the Data Inspection Board had been published. Noting that individuals could request the Commission on Security and Integrity Protection to check whether they had been the subject of secret surveillance, he asked how many such requests had been received. The State party should explain the exact nature of the changes introduced following the entry into force of the Police Data Act. Concerning rendition, he would like to know how the Committee's previous recommendation on exercising caution in the use of diplomatic assurances had been implemented.

13. **Sir Nigel Rodley** requested more specific information about the proposals that would be sent to parliament regarding an independent review of the State party's reservations to international human rights instruments. He said it would be interesting to know in particular whether the review would include studies of the need for the reservations to article 10 (3), article 14 (7) and article 20 (1) of the Covenant.

14. The State party should provide details about the contents of the proposed law against torture and indicate whether it would closely follow the prohibition on torture set out in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. He asked whether the law would address the issue of statutes of limitations and, if not totally eliminate them, at least ensure that the periods were no shorter than those for other offences considered to be grave crimes under international law.

15. There was some concern that lawyers might not be sufficiently compensated for the diligent work that was required of them in cases of detention. The Committee had also received reports that patients in forensic psychiatric care were at risk of illegal detention owing to a lack of available accommodation. He asked the delegation to comment on those matters.

16. Noting that there was no limit on the length of pretrial detention, which in some cases had lasted as long as four years, he sought assurance that the Government would address that problem as a matter of urgency. He asked what proposals had been made in the report submitted by the all-party committee of inquiry mandated to consider whether an

independent body should scrutinize the activities of both the police and the Prison and Probation Service, and said he wished to know what follow-up had been given to those proposals. He asked whether the proposed national human rights institution would serve as such a body, and said he was surprised that Sweden did not already have an independent complaints body in place.

17. **Ms. Jelić**, while welcoming the new Discrimination Act, said that statistical data on discrimination cases were needed to determine whether the Act had been effective. She therefore requested yearly statistical data from 2009 to 2014 on the number of cases in which the Equality Ombudsman had established that discrimination had taken place. Referring to the data provided for 2014, she asked why so few of the complaints submitted to the Equality Ombudsman had been taken to court.

18. She wished to know more about the measures taken by the Equality Ombudsman to not only promote non-discrimination but also prevent and combat discrimination. The State party should clarify the Equality Ombudsman's competence to enforce article 14 of the European Convention on Human Rights. She asked whether the Government had implemented the proposals made by the government inquiry into active measures and, if so, what outcome had been achieved.

19. She requested more specific information on the steps taken to establish an independent national human rights institution equipped with adequate human and financial resources. It was important that the institution should be answerable only to parliament and not to the Government. Lastly, she wished to know the status of the process under way to establish a strategy for systematically ensuring the observance of all human rights.

20. **Mr. Fathalla** requested the State party to elaborate on other ways of following up on observations and recommendations from international bodies, besides developing action programmes. He said that details should be provided on the criteria for determining the need for an action programme and on the role of civil society in that regard. Regarding the Committee's Views on individual communications, it would be interesting to learn whether the analysis by the Ministry for Foreign Affairs of required action might differ from the action recommended by the Committee in its Views. Noting that the Committee's Views were published on the Government's human rights website, he asked whether the website also contained information on the follow-up action taken in response to those Views. He requested examples of the possible exceptional grounds against granting a residence permit mentioned in paragraph 30 of the State party's report.

21. It was not clear why the Equality Ombudsman should not have the power to pursue discrimination cases on the basis of the European Convention on Human Rights, given that that Convention had the force of law in Sweden. He asked whether the financial resources allocated to the Equality Ombudsman and the local anti-discrimination offices were sufficient to enable them to pursue the cases brought to their attention.

22. The State party should provide information on the measures taken to prevent, combat and criminalize hate speech against migrants, and statistical data on the number of prosecutions initiated in such cases. According to media reports, Sweden was planning to expel 60,000 to 80,000 refugees who had arrived from countries where no war or conflict was taking place. He therefore asked whether there had been a shift in the State's policy on refugee matters.

23. He asked what measures had been taken to implement the recommendations made in the report on Afrophobia issued by the Ministry of Integration and to address discrimination against Muslims in the legal and welfare sectors. It would be interesting to learn whether the forthcoming national action plan to combat discrimination and hate crimes would constitute a major shift in the State's position on those issues. Details on the results

achieved by implementing the coordinated long-term strategy for Roma inclusion 2012-2032 would also be welcome.

24. **Mr. de Frouville** asked the delegation to explain why so few of the complaints about the use of force by police officers had resulted in prosecutions and why the prosecutions that had taken place had led to only very light sentences. He said that the delegation should also explain the meaning of the term "day fine" and comment on the increase in the number of violent deaths in police custody in recent years. Referring to the case of Sinthu Selvarajah, who had died as a result of police officers' use of the prohibited "death grip", he enquired as to the risk of such violent practices being repeated. He wondered whether further police training might be necessary to ensure that such dangerous methods were not used.

25. Noting that Swedish police officers used expanding bullets, he questioned whether the possibility of avoiding collateral damage in the form of injury to innocent bystanders could justify the disproportionate injury such bullets caused to the persons being immobilized. The death of Daniel Franklert Murne, for example, had been connected to the use of that type of ammunition.

26. He requested further information about the Separate Public Prosecution Office and its independence. Specifically, he wondered whether the Office could bring proceedings before the courts, or whether it merely conducted internal investigations as part of disciplinary proceedings.

27. He wished to know whether the Health and Social Care Inspectorate had a specific mandate to monitor the use of electroshock therapy. He was concerned by the fact that the National Board of Health and Welfare had been commissioned to examine the possibility of supplementing the National Patient Register with treatments performed by professional groups other than doctors, and that the Board's proposals were to be used in draft legislation. Did that mean that electroshock treatment could be prescribed and administered by persons who were not qualified as doctors? The State party should provide further details about the proposals the Board had made and about the current status of the draft legislation, specifically, whether it took account of the Committee's concerns.

28. **Mr. Muhumuza** asked the delegation to comment on the reaction of Sweden to findings recently issued by the Working Group on Arbitrary Detention concerning Mr. Julian Assange.

The meeting was suspended at 4.30 p.m. and resumed at 4.55 p.m.

29. **Mr. Olsson Fridh** (Sweden) said that the Government's forthcoming strategy for complying with its international human rights obligations would set forth the methodology for following up on recommendations received from treaty bodies and would include a proposal for the creation of a national human rights institution in accordance with the Paris Principles. In the interests of transparency, any new institution would be answerable to parliament and not to the Government, and it was up to parliament to decide what form that institution should take. Civil society played, and would continue to play, a major role in the process of promoting, protecting and reporting on human rights in Sweden.

30. In its national and international counter-terrorism efforts Sweden was careful to guarantee the rule of law and terrorist suspects were accorded the same fundamental rights as persons suspected of other offences. A number of bodies existed to monitor the actions of the authorities in that regard. Equality of rights was the cornerstone of the work of the national coordinator to safeguard democracy against violent extremism, who sought to tackle values and attitudes which fed into violent ideologies.

31. Signals intelligence was supervised by the Foreign Intelligence Inspectorate and regulated by an elaborate system of laws, all of which complied with article 17 of the

Convention. The work of the National Defence Radio Establishment was also closely scrutinized and the Government was required to present an annual report to parliament on all signals intelligence activities. Diplomatic assurances had been used on only one occasion in 2001, prior to the period covered by the report.

32. Awareness-raising activities and dialogues on racism had taken place in late 2015 and had been attended by the Minister for Culture and Democracy and other officials, as well as by civil society organizations and the general public. The aim had been to promote ongoing efforts to combat racism and to gain further input for the national action plan against racism which was due to be presented in 2016. The plan would include general provisions against racism and hate crimes in addition to specific measures targeting anti-Semitism, anti-Ziganism and Islamophobia. Afrophobia, which was also covered by the action plan, was to be the subject of a special awareness-raising campaign by the Equality Ombudsman during the period from 2015 to 2016. The Living History Forum and the National Agency for Education were also producing educational material on racism and xenophobia.

33. **Mr. Adell Hellström** (Sweden) said that international treaties had to be incorporated by statute into national law, although the only treaty to have been fully incorporated in that fashion was the European Convention for the Protection of Human Rights and Fundamental Freedoms. A more common legislative approach to the country's international commitments was to establish a corresponding provision in a Swedish statute and the courts were required to interpret, as far as possible, national law in line with international instruments. It was therefore crucial that public officials be aware of the State's international obligations and the Government had acted to organize training in that regard. The Convention had been cited in court rulings but only in cases where one of the parties had mentioned it in their own submissions. The obligation to protect citizens from discrimination, in accordance with article 26 of the Convention, was enshrined in the Swedish Constitution, the Discrimination Act and the Criminal Code. The long-term strategy for Roma inclusion 2012-2032 was still in an early phase but there had already been observable progress in terms of funding and the training of Roma mediators.

34. **Ms. van Rooij** (Sweden) said it was her Government's understanding that Sweden was not required to incorporate a specific provision on torture into national law. Its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment were fully met by existing legislation on various forms of assault, including that of particularly aggravated assault introduced in a 2010 amendment to the Criminal Code. Nonetheless, the need for a specific provision on torture had been the subject of a 2014 inquiry which had proposed, also in light of international obligations, that such an offence should be placed on the statute books. That proposal was currently being examined by the Ministry of Justice.

35. Access to a lawyer for persons in detention was regulated by the Code of Judicial Procedure. The Code placed no limit on the number of hours for which a public defence counsel could be compensated but left that matter to be decided by the courts.

36. Acting on the results of a recent review of pretrial detention, the Government had asked the Prosecution Authority to draw up new guidelines and regulations on the use of restrictions and the isolation of detainees. Early results suggested that the new measures seemed to have had a positive impact. Nonetheless, the Government believed that the matter required deeper examination and had commissioned a further inquiry, which had begun in July 2015. The new inquiry had a broad remit but one important area of focus would be that of children and young people in pretrial detention. The Agency for Public Management, the National Council for Crime Prevention and the Prison and Probation Service were all actively involved in studies and initiatives in the area of pretrial detention.

37. The time required to process a case was regulated by law or by court practice but was often considerably shorter than the time required to process cases before the European Court of Human Rights. It was for the prosecutor and the courts to decide how to proceed in the case of Mr. Assange. They were independent authorities and the Government had no power to interfere in their decisions.

38. **Ms. Evelius** (Sweden) said that citizens' constitutional rights to freedom of movement could, in certain circumstances, be restricted by law. In the case of persons with psychiatric issues the relevant legislation was the Compulsory Mental Care Act and the Forensic Mental Care Act both of which met fundamental human rights safeguards. When a person subjected to compulsory care was to be discharged from a health-care facility, municipalities had the responsibility to provide that person with suitable housing and support. Once it had received the notice of discharge, a municipality had 30 days in which to find accommodation for the patient concerned. If it failed to meet that obligation it faced financial penalties and criticism from the Health and Social Care Inspectorate. If the discharged patient was forced to stay in the health-care facility during the waiting period, he or she enjoyed complete freedom of movement.

39. The Government had established a system of national quality registries which collected data on a variety of health and medical services, including electroshock treatment. Registration was voluntary and patients could request the removal of their details from the registries at any time. It was estimated that around 89 per cent of all electroshock treatments were recorded using the system.

40. **Mr. Sjölinder** (Sweden) said that a total of 11 criminal cases had been brought under the Act on Criminal Responsibility for Terrorist Offences; 7 of those had resulted in convictions. Three cases had been reclassified and prosecuted under other provisions of the Criminal Code and two convictions were currently pending appeal. As of 2016, approximately 280 Swedish citizens had travelled to conflict regions with the aim of joining or training with terrorist groups. Around 40 persons were known to have died and some 125 persons had subsequently returned to Sweden. In an effort to prevent the radicalization of Swedish citizens, the Government intended to introduce new criminal legislation in April 2016 which would define as an offence the act of travelling overseas to receive terrorist training or commit terrorist acts.

41. The all-party committee of inquiry tasked with considering whether an independent body should scrutinize the activities of both the police and the Prison and Probation Service had reported to the Government as scheduled, and broad consultations on its findings were currently under way. Some recommendations contained in the report would, however, require substantial discussion before any final decisions could be taken.

42. The annual national crime survey was intended to supplement the official crime statistics and offered a qualitative assessment of the criminal justice system. Over the period from 2006 to 2015, there had been a significant increase in the general public's trust of the police and its ability to treat suspects fairly. However, the excessive use of police force remained a concern and a considerably high number of complaints had been received. Most cases had been referred to the police disciplinary board for consideration, while a smaller number had been brought before the courts. In 2014, the board had considered 115 cases, of which 110 were subject to disciplinary action. Around 4 police officers had been removed from their duties and some 60 persons had received disciplinary sanctions, including formal written warnings, pay cuts or day fines. Day fines were calculated as a percentage of an individual's earnings.

43. In response to the rise in the number of deaths resulting from the use of firearms by the police, the Government had conducted a review of existing police firearm legislation in order to identify and tackle the root causes behind the increase. Its findings, published in

February 2016, called for better police training on how to handle volatile situations involving persons under the influence of drugs or other substances and persons with mental illnesses. As to the use of expanding bullets, there were no immediate plans to change the type of ammunition used by the police given that the bullets had repeatedly been shown to cause less collateral damage than other types of ammunition and were standard issue in most other European countries.

44. **Ms. Peyron** (Sweden) said that the Government intended to place temporary restrictions on its asylum policy in response to the unprecedented number of asylum seekers who had arrived in the country in 2015. Residence status would continue to be granted to eligible asylum seekers, but family reunifications would be limited to the applicant's spouse or partner and children under the age of 18. No changes would be made to the national expulsion policy for rejected asylum seekers and the principle of non-refoulement would remain in force. Unaccompanied minors deemed ineligible for asylum could be expulsed only in the event that a trusted adult in their country of origin could be identified to care for them. In 2015, fewer than 60 unaccompanied minors had been returned to their country of origin.

45. **Ms. Stenson** (Sweden) said that the Government intended to maintain its reservation to article 10 (3) of the Covenant since the requirement to hold juveniles separately from adults would lead to juvenile detainees being relocated to prisons situated far from their families owing to the lack of separate cells in most adult prisons. The Government also intended to maintain its reservations to article 14 (7) owing to concerns that the article, if implemented, could undermine the credibility of the national justice system, and to article 20 (1) as it would infringe on the right to freedom of expression.

46. Regarding the procedures and mechanisms in place to implement the Committee's concluding observations and its Views under the Optional Protocol to the Covenant, the Government intended to launch a new strategy to address the implementation of the Committee's recommendations and had appointed a working group to consider how best to uphold the country's international obligations. As to the exceptional grounds against granting a residence permit set forth in the Aliens Act, the Government could confirm that the provision had never been used to date.

47. **Ms. Zeland** (Sweden) said that new national asylum legislation was aimed at accelerating the asylum application procedure and sharing the burden of care fairly among the various municipalities. Local authorities that agreed to take a larger proportion of asylum seekers would be eligible for greater financial incentives under the new legislation.

48. **Mr. Adell Hellström** (Sweden) said that the Government remained committed to combating all forms of discrimination and had increased the annual budget of the 16 anti-discrimination offices and the Office of the Equality Ombudsman to SKr 2 million and SKr 10 million, respectively. It also intended to amend the rules governing the active measures taken to combat discrimination and extend their scope to cover all grounds of discrimination. An inquiry had been commissioned with a view to strengthening existing anti-discrimination policies and improving the handling of cases of discrimination by the police and the courts; the results of the inquiry would help to inform future anti-discrimination efforts.

49. **Mr. Olsson Fridh** (Sweden) said that further information would be provided at a later date or in writing where required.

50. **Mr. Shany** said that he welcomed the review of current anti-discrimination policies and urged the State party to use the opportunity to extend the scope of existing legislation and widen the availability of legal aid to cover all forms of discrimination. It would be interesting to know more about the State party's approach to Roma persons and their official residence status in the country. Information on the scope of collection of personal

data under the Act on Criminal Responsibility for Terrorist Offences would also be welcome. Lastly, he asked whether the Government intended to review national extradition legislation and safeguards in the light of the ongoing extradition case involving Mr. Assange.

The meeting rose at 6 p.m.

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Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Seventh periodic report of Sweden (continued) (CCPR/C/SWE/7; CCPR/C/SWE/QPR/7)

1. *At the invitation of the Chair, the delegation of Sweden took places at the Committee table.*

2. **Sir Nigel Rodley** asked whether the new guidelines of the Swedish Prosecution Authority and the report of the all-party committee of inquiry were in public domain. He said that he would welcome detailed information on the contents of both.

3. **Mr. de Frouville** said that the Committee would appreciate a summary of the useful information the delegation had provided in writing about electroshock therapy. Given the small number of criminal proceedings instituted in cases of police brutality, he would be interested to know how it was determined whether a case would lead to disciplinary or criminal proceedings. Lastly, he requested information on the measures taken in the case of Daniel Franklert Murne and Sinthu Selvarajah, who had both died at the hands of the police.

4. **Mr. Olsson Fridh** (Sweden) said that the Equality Ombudsman, who played a crucial role in the Government's ongoing fight against discrimination, was responsible for supervising compliance with the Discrimination Act and promoting equal rights and opportunities. The Ombudsman investigated individual complaints and supervised the implementation of active measures in companies and educational establishments. For example, in 2015, the Ombudsman had supervised such implementation in 100 small companies and 100 educational establishments.

5. In 2013, a special inquiry had been opened with a view to increasing the efficiency of anti-discrimination measures and enabling victims of discrimination to exercise their rights. The inquiry would be completed on 16 December 2016. The Ombudsman's budget had been increased to SKr 10 million per year and the budget of local anti-discrimination offices had been increased to SKr 2 million per year as of 2016.

6. **Ms. Remaeus** (Sweden) said that the problem of vulnerable European Union citizens begging on the streets of Sweden had caught the Government unprepared. Municipalities and local authorities had not received sufficient guidance on how to handle the situation. In November 2015, there had been around 4,700 such persons, mostly from Romania and Bulgaria; around 700 of them were children. In January 2015, the Government had appointed a national coordinator responsible for facilitating cooperation between the relevant authorities in Sweden and in the countries concerned and for disseminating information about the rights of European Union citizens in Sweden. The coordinator had issued a report in February 2016, proposing the commissioning of a county administrative board to coordinate such work; the proposal was currently being considered.

7. The free movement of European Union citizens within the Union was a fundamental principle. European Union citizens with valid identity documents could stay in Sweden for a period of three months; persons wishing to stay longer had to fulfil certain conditions aimed at ensuring that they could support themselves financially. Those conditions included being employed or self-employed or being a jobseeker with realistic prospects of finding employment. According to the Social Services Act, municipalities were responsible for supporting all persons staying on their territory. However, Sweden had limited obligations vis-à-vis European Union citizens who failed to fulfil the above criteria and provided assistance only in the event of an emergency. Emergency assistance could consist of temporary accommodation, money for food and transportation to return to their country.

Such persons could request further assistance from and an individual assessment by the municipal authorities and could also appeal to the Administrative Court. Social authorities, which had the duty to ensure that all children grew up in safe and adequate conditions, helped any child in need of support or protection, regardless of the latter's residence status.

8. Most Romanian and Bulgarian citizens who begged on the streets of Sweden did not have health insurance and therefore had to pay for basic health care. In April 2015, the National Board of Health and Welfare had published information on its website explaining that vulnerable European Union citizens staying in Sweden for longer than three months without a residence permit could occasionally be covered by the Health and Medical Services Act. Under the Act, persons staying in Sweden illegally had the right to receive health care that could not be postponed. Children of such persons had the same right to health care as other children living in the country. Although children without a residence permit did not have the right to education, municipalities were not prevented from allowing such children to attend school. Under the law, no one was allowed to live in other public places, such as parks, or on private land for more than two nights. In 2015, a total of 230 applications for eviction from illegal settlements had been submitted. Begging was not a crime in Sweden and the Government in any case did not consider the use of legal measures against people in need as a solution to the problem of begging.

9. **Mr. Hellström** (Sweden) said that there were no provisions specifically regulating the concept of data mining in the Signals Intelligence Act or in other legislation on surveillance. However several Acts regulated the intelligence activities of the National Defence Radio Establishment, whose operations were subject to comprehensive limitations and could only be carried out for certain purposes, such as to map foreign military threats to Sweden. Signals intelligence must be targeted at signals identified in specific search terms which fully respected the right to privacy. Terms targeting specific persons could be used only if they were of great importance to the operations; prior authorization of the Foreign Intelligence Court was required in order for any operation to be conducted.

10. As the main body supervising foreign and signals intelligence, the Foreign Intelligence Inspectorate could, upon request, check whether individuals had been the subject of an intelligence operation; if they had, the Inspectorate verified that the operation had been carried out in accordance with the law and informed the individuals concerned of their findings. In 2014, the Inspectorate had carried out 12 such checks; about the same number of checks had been carried out in the years prior to 2013. In 2013, 62 checks had been carried out as a result of heavy media reporting on the possibility of requesting such checks. The Government reported yearly to the Parliament regarding the operations of the Inspectorate and other oversight mechanisms.

11. Under the Discrimination Act, discrimination was prohibited on seven grounds. There were currently no plans to ratify Protocol No. 12 to the European Convention on Human Rights, or to amend chapter 16, section 9, of the Penal Code, containing a regulation on unlawful discrimination. The Ombudsman's annual budget was SKr 108 million and that of local and regional anti-discrimination bureaus and offices was around SKr 14 million.

12. **Ms. van Rooij** (Sweden) said that detention first had to be requested by a prosecutor and then assessed by a district court to determine whether there were sufficient grounds to believe that a crime had been committed. That court's decision could be appealed to the Court of Appeal and then to the Supreme Court. Only once such court proceedings had been completed could a European arrest warrant be issued by the prosecutor; such safeguards were considered sufficient.

13. The new guidelines of the Prosecution Authority, which were indeed in public domain, made it clear that, in each case, a careful assessment had to be made of whether

there was a considerable risk of the suspect tampering with the evidence. If such a risk existed, a prosecutor had to examine whether that risk justified deprivation of liberty. If it did not, that risk could not be invoked as grounds for detention.

14. **Mr. Sjölinder** (Sweden) said that he would provide the Committee with an English summary of the report of the all-party committee of inquiry, which had proposed to establish an independent joint agency under the Government to scrutinize the police and the Prison and Probation Service. Any complaint concerning the use of excessive force by a police officer had to be examined by a senior prosecutor. If a police officer was suspected of having committed a criminal offence, a standard criminal procedure took place. The police investigation department would investigate the case with the prosecutor's guidance. Other types of misconduct could lead to disciplinary sanctions and were dealt with by the police investigations department, with the final decision taken by the police disciplinary board.

15. With regard to the two cases of police violence raised by civil rights defenders, he expressed regret about the death of two persons as a result of the use of firearms by police. He was not in a position to make further comments on the case of Daniel Franklert Murne as it was the subject of an individual complaint submitted by human rights defenders, or on the case of Sinthu Selvarajah, as the criminal investigation into the case had been reopened. The Committee would be informed of the investigation's outcome once available.

16. **Ms. Evelius** (Sweden) said that electroshock therapy was a type of treatment in which seizures were electrically induced in patients to provide relief from psychiatric illness. The treatment normally required the patient's informed consent and was used as the last resort for treating major depressive disorders, mania or catatonia. The effects of such therapy had proved to be stronger and faster than those of medication — an important consideration in the presence of severe symptoms such as suicidal thoughts or hallucinations. Clear guidelines existed for the use of electroshock therapy in Sweden and worldwide, including those published by the Swedish Psychiatric Association in 2014; furthermore, in 2011, the National Board of Health and Welfare had also published guidelines on informed consent in the use of such therapy.

17. In 2011, Sweden had established a national quality register on electroshock therapy, which covered 89.3 per cent of all such treatments. The register included individual data on health problems, reasons for the use of electroshock therapy, actions taken and outcomes. In 2014, the register had included 4,103 patients, of whom 63 per cent were women. About 80 per cent of the patients had received electroshock therapy as treatment for depression. Some 45 per cent had fully recovered from their original condition; 76 per cent had improved; and 0.3 per cent had got worse or much worse following the treatment. Around 17 per cent of patients had suffered memory impairments as a side effect. The Health and Social Care Inspectorate was the government agency responsible for supervising all health care, including electroshock therapy.

18. **Ms. Jelić** asked whether the National Mediation Office had completed its analysis of the design of central collective agreements from a gender equality perspective and, if so, whether its findings had been published. She requested statistics on the gender pay gap and noted with concern that the concept of pay as set out in Directive 2006/54/EC of the European Parliament and of the Council was not defined in Swedish law. Noting that it was left to courts to rule on whether differences in pay were justified, she said that salaries should be regulated by law or through collective agreements. She wished to know whether the prohibition of direct discrimination contained in the Discrimination Act covered pregnancy and maternity discrimination, whether national courts were responsible for adjudicating on cases involving such discrimination and, if so, how many cases had been tried.

19. It would be useful to receive information, including statistics, on the situation with regard to violence against women and children, especially domestic and sexual violence, marital rape and violence in the workplace. Any information on the findings of the commissions of inquiry mentioned in paragraphs 93 and 96 of the periodic report (CCPR/C/SWE/7) would also be appreciated.

20. She asked what measures were planned to tackle prostitution and human trafficking for sexual purposes aside from those outlined in paragraph 97 of the report; whether any statistics were available from investigations into trends in prostitution; and whether the action plan for protecting children from human trafficking, exploitation and sexual abuse had been evaluated and what measurable results it had achieved. The State party should clarify whether the cross-agency training programmes for staff in the justice system were ongoing and should furnish details as to the outcome of programmes to support the rehabilitation of victims of human trafficking for sexual purposes and prostitution.

21. Turning to the issue of child sex tourism, she invited the delegation to elaborate on the role of the former National Bureau of Investigation and on the tangible results of the programme to combat the sexual abuse of children by Swedes abroad. She asked whether the special training courses for police officers at local and regional level had led to an improvement in the situation of berry pickers on the ground and requested statistics on violations of labour law in the berry-picking sector. Detailed information on the results achieved by the National Homelessness Coordinator would also be welcomed.

22. **Mr. de Frouville** enquired about the measures that had been taken to facilitate the integration of migrants, particularly in the area of employment, and asked whether refugees and other persons eligible for subsidiary protection who had been granted temporary residence permits had a right to family reunification. He further asked whether it was true that alternatives to detention were rarely used in the case of migrants and, if so, why.

23. He said that he wished to know why the European Return Platform for Unaccompanied Minors had not been renewed and what conclusions had been drawn by the Government, including with regard to the notion of internal asylum. Noting reports that around 2,000 unaccompanied minors had recently gone missing in Sweden and concerns that they might be targeted by human trafficking rings, he asked whether investigations had been launched into possible criminal activity in that regard and, if so, what had been the outcome.

24. He would appreciate additional information on the new disability policy that was set to be introduced in 2017. In particular, the delegation should describe how the policy would enhance access to education, employment and justice. He asked whether it was true that the employment rate of persons with disabilities had fallen to a historic low of 44 per cent and, if so, how the situation was compatible with the assertion in the periodic report that the number of persons with disabilities who accessed subsidized jobs had been increasing. He also wished to know what was being done to incorporate a disability perspective in policies and programmes to prevent violence against women and children.

25. **Sir Nigel Rodley** asked how the procedures in place for security cases differed from standard deportation procedures, why they were necessary and whether they involved a more extensive use of detention. Referring to paragraph 139 of the report, he said that the information in question had been supplied by Amnesty International and by the United Nations High Commissioner for Human Rights, and requested the delegation to confirm that the relevant authorities had conducted an individual examination of the grounds for asylum in every case in which Iraqi nationals had been involuntarily repatriated.

26. **Mr. Fathalla** invited the delegation to provide a more comprehensive response to the Committee's enquiries about plans to combat hateful online messages directed at Muslims, Afro-Swedes, Roma and Jews, and about the effectiveness of the measures that

had been taken to curb hate speech and hate crime in general. He said that the delegation should clarify whether such measures were applied throughout the country. He also wished to know whether the special hate crime groups referred to in the periodic report had been set up and whether the Government had reviewed the need for a national knowledge and resource centre on racism. He requested the delegation to comment on the fact that only 5 per cent of the complaints of hate crime filed in 2013 had led to legal action by April 2015 and to describe the role played by the Chancellor of Justice in handling those complaints.

27. He would welcome information on the steps being taken to guarantee equal enjoyment of the right to freedom of religion and belief, on efforts to review school textbooks to remove any discriminatory content about minorities and on the measures that had been taken or were envisaged to address the negative portrayal of Muslims in the media.

28. **Mr. Shany** asked the delegation to clarify whether only those European Union citizens who had lived in Sweden for an uninterrupted period of at least 12 months qualified as residents for purposes of obtaining social benefits.

29. He would be interested to know the status of the negotiations on a Nordic Sami convention, which were expected to conclude shortly, and whether there were plans to revisit the bill on Sami policy. In the light of reports that the State was required only to inform, and not meaningfully consult with, Sami people in connection with projects involving the exploitation of natural resources, he asked the delegation to clarify the scope of the duty to consult under the 2009 Act on National Minorities and Minority Languages and the 2014 amendment to the Minerals Ordinance. The delegation should also comment on claims concerning a lack of adequate compensation for the harm caused by mining activities in, for example, Kiruna. He would also welcome its comments on reports indicating that current funding levels for the Sami Parliament prevented it from operating in an independent and effective manner. He asked whether it was the case that Sami involved in reindeer husbandry generally enjoyed stronger legal protections than other members of their group. Regarding the demarcation of reindeer grazing areas, he wished to know the status of the 2006 report of the Boundary Commission, which had yet to be implemented. Referring to paragraph 173 of the periodic report, he said it was difficult to understand why, even in cases involving serious issues with a group-wide dimension, legal aid could be granted only to individuals. He would also like to know the delegation's position on the requirement that written documents should be produced in court cases involving indigenous peoples, even though such documents were not readily available. Lastly, he asked whether the Government was considering establishing a truth commission to investigate the historical treatment of the Sami people and taking action to ensure the preservation of Sami cultural heritage.

The meeting was suspended at 11.30 a.m. and resumed at 11.55 a.m.

30. **Mr. Olsson Fridh** (Sweden) said that his Government's efforts to prevent and combat violence against girls and women had contributed to a greater awareness of the problem, to enhanced coordination within and between the agencies involved and to a clearer focus on high-risk groups, such as women with disabilities and women with addiction problems. Since the entry into force in 2005 of new legislation on sexual crimes, the authorities had taken a number of legislative measures to increase the criminal protection of women from violence and harassment. Evaluations carried out from 2007 onward had shown that there was a need for more preventive work and a more even distribution of support measures across the country.

31. An effective returns policy was high on the Government's political agenda. In order to achieve an asylum system that was sustainable in the long term, asylum seekers who were found not to be in need of protection had to return to their country of origin. However, it was essential that asylum policies should be implemented with full respect for the

principle of non-refoulement and the fundamental rights, freedom and dignity of the individual returnees. The main objective was to provide a humane process of assisted returns that respected the primacy of voluntary return and took account of the importance of safe, dignified and sustainable return.

32. As online hate crime was a problem that transcended national borders, it was necessary to work in close cooperation with neighbouring countries, in particular other members of the European Union, to develop effective prevention strategies. In that connection, in June 2015, the Government had commissioned the Swedish Media Council to develop the "No Hate Speech" campaign. The campaign sought to prevent racism, sexism, xenophobia and other forms of intolerance and included initiatives to safeguard democracy against extremism and radicalization by improving the media and information literacy of young people. Although it was still too early to evaluate fully the impact of the campaign, initial assessments had been positive.

33. Negotiations on a Nordic Sami convention were ongoing. Although the initial March 2016 deadline for an agreement would not be met, he was confident that there would be a successful conclusion to the negotiations by the end of the year. The convention would clarify a number of the issues that had been raised by Committee members, such as land rights and compensation claims. The Government did not intend to proceed with the proposed bill on Sami policy following its rejection by representatives of the Sami people. Instead, it was, together with community representatives, exploring other ways to move policy forward with a view to enhancing the influence of the Sami people through self-determination. Funding for the Sami Parliament had been strengthened, and the State grant for Sami culture had been increased for the first time since 1993. The Equality Ombudsman and the Sami Parliament had begun to give consideration to establishing a truth commission that would, among other things, raise awareness of the suffering of the Sami people throughout history. As to the preservation of cultural heritage, the Government had invited the Sami Parliament and other relevant institutions to contribute to the drafting of a bill in that regard.

34. **Ms. Bengtson** (Sweden) said that, as part of measures to prevent and combat violence against women, health-care professionals had received guidance on how to detect signs of abuse and provide appropriate treatment for victims. Indicators had been developed to assess the quality of victim shelters and their compliance with national regulations. In addition, State funding for women's shelters run by voluntary organizations had been increased.

35. As to training for criminal justice system personnel, the Prison and Probation Service had run programmes for bilingual staff members working with non-Swedish speaking clients in their services.

36. In 2014, Swedish women had earned approximately 13.2 per cent less than men. While that gap could be explained in part by the fact that women and men tended to work in sectors that were associated with different pay levels, other causes, including perhaps pay discrimination, were difficult to explain through available statistics. The results of the survey carried out by the National Mediation Office had, among other things, shown that wage development had been strongest in gender-balanced white-collar occupations.

37. **Ms. Olausson** (Sweden) said that the Equality Ombudsman had taken legal action against several employers in cases involving discrimination on grounds of pregnancy.

38. **Mr. Sjölinder** (Sweden) said that the inquiry tasked with evaluating the application of criminal provisions relating to human trafficking and reviewing the scale of penalties for the purchase of a sexual act from a child was expected to issue its findings by 9 June 2016. The national action plan against prostitution and human trafficking for sexual purposes, which had ended in December 2010, had been judged a success. Among other things, it had

helped to significantly increase awareness of the issues involved among public officials and civil society. The Government was currently preparing an action plan for the period from 2016 to 2018 that would include a series of specific measures aimed at protecting children from trafficking and sexual exploitation. Training programmes on those issues had been developed for officials working in the criminal justice system. Furthermore, the creation of a single national police authority in 2015 was likely to lead to more effective implementation of anti-trafficking policies.

39. The County Administrative Board in Stockholm was developing a national support programme for victims of trafficking in cooperation with the European Union Civil Society Platform against trafficking in human beings that would include measures to ensure the quality of established procedures. A manual had also been produced in collaboration with all stakeholders with a view to developing a more uniform approach to dealing with trafficking cases.

40. As part of measures to combat child sex tourism, the authorities were seeking to enhance international cooperation, in particular with countries in South-East Asia, and to encourage the reporting of cases by the general public, including tourists in areas where the problem was prevalent. Steps had also been taken to combat online sexual crimes involving children.

41. As to hate speech, the Government was planning additional legislative measures to tackle the problem and seeking to further enhance cooperation with social media platforms. Capacity to deal with online hate speech had been strengthened thanks to the establishment of a cybercrime centre. He confirmed that special hate crime investigative units had been set up in a number of urban areas.

42. **Ms. Remaeus** (Sweden) said that the National Homelessness Coordinator had reported that the housing market was not properly balanced. Action was therefore being taken to stimulate the building of more housing. The National Board of Health and Welfare would carry out a survey in 2017 to determine the number of homeless people. As for the unaccompanied minors who had disappeared, the County Administrative Board was conducting a survey to analyse the situation and introduce preventive measures. With regard to violence against women with disabilities, she said that such women had long been invisible, but their situation was receiving more attention. The National Board of Health and Welfare had launched a campaign entitled "Looking the Other Way" and efforts were being made to integrate women with disabilities into all programmes relating to women, as well as disability programmes. Further targeting was needed, however.

43. The situation with migrants from the European Union was that, for the first three months of their stay, they were treated as visitors, but subsequently they had to meet certain conditions: they had to be employed or self-employed, or have a realistic prospect of work. Students and others not working were required to support themselves.

44. **Ms. Peyron** (Sweden) said that the planned law on asylum and migration, which would be in force for three years, would apply when decisions on residence permits were taken during that period. As for family reunification, refugees would continue to be allowed to reunite with their spouses, partners and children under 18. Persons granted subsidiary protection would also have the right to family reunification if they had applied for asylum before 24 November 2015.

45. Detention was used only as a last resort, if less coercive measures could not be applied. Supervision was used wherever possible, in accordance with the handbook issued by the Swedish Migration Agency. The prison service and the police were considering how supervision could be used more often. She wished to emphasize that, whether a migrant's return was voluntary or not, the principle of non-refoulement was always respected and parents were helped to trace missing children. Travelling costs were met by the Migration

Agency and deportees could apply for re-establishment support. Although the European Return Platform for Unaccompanied Minors project, which aimed to ensure that migrants were returned to their countries of origin with dignity, had ended in 2014, a division of the Migration Agency still engaged in cooperation activities with the countries of origin and international organizations.

46. There was a clear regulatory framework regarding the exploitation of workers, setting out guidelines on salaries and other matters. New measures had been introduced in August 2014, but, since the Government considered the matter a priority, in July 2015 it had set up a further inquiry to review and improve the protection of labour migrants.

47. No diplomatic assurances had been used since 2001. Two pieces of legislation applied in security cases, the Aliens Act and the Aliens Control Act. Under the latter, appeals were handled by the Government, although an opinion was always submitted by the courts concerning possible impediments to the execution of a deportation. Action to return Iraqis was taken in accordance with the relevant international conventions and the rules of the Aliens Act. All cases were considered individually and the Government closely followed developments in the relevant countries.

48. **Ms. Zeland** (Sweden) said that the Government's measures to facilitate access to work had consisted of action to provide newly arrived migrants with more training, subsidized jobs and complementary education and work placements. The Introduction Act had been adopted in 2010 to speed up the introduction of newly arrived migrants and persons with residence permits who needed protection. The Public Employment Service engaged in dialogue with migrants to establish their educational background, previous work experience and need for training. Migrants could draw a benefit for up to two years. Individualized introduction plans included preparation for employment, Swedish language classes and civic orientation courses to foster their understanding of Swedish society. The 2016 budget contained a number of initiatives to improve migrants' access to the labour market, including fast-track procedures for newly arrived immigrants proficient in an area where there was a shortage of qualified staff. The fast-track procedure had originally applied to doctors, pharmacists and dentists but had since been extended to teachers and even butchers. The situation was paradoxical: unemployment was high but so was the number of vacancies. Many jobseekers lacked a secondary education, which was a requirement for most jobs in Sweden. The Government had therefore invested in better job-matching skills and developed measures to deal with long-term unemployment and to help people who had a reduced work capacity.

49. **Ms. Lindahl** (Sweden) said that persons with disabilities, especially those with reduced work capacity, faced particular difficulties in the labour market. The number of persons with disabilities registered with the Public Employment Service who obtained employment or regular education or training had increased between 2013 and 2014, the increase being greater among men than among women. Employers who hired persons with disabilities received financial subsidies. In 2014, an average of 93,000 persons with disabilities had been in subsidized or sheltered employment. Under the 2016 budget, the Government had invested SKr 300 million in Samhall, a State-owned company that provided work for persons with disabilities. Such persons were provided with individualized support to find work and then further assisted during their first days at work. The programme would be strengthened through a review of wage subsidies and individuals would be encouraged to develop their working capacity.

50. It had been found that additional grants for children needing special support were applied too restrictively. The Government had therefore clarified the criteria and would give individual education providers special support. The Government was preparing a new policy on disability, based on the Convention on the Rights of Persons with Disabilities.

One of the proposed measures was the establishment of a group of State secretaries to include the disability perspective in all the relevant ministries.

51. **Ms. Stenson** (Sweden) said that, since freedom of religion was an absolute right under the Constitution, measures to combat hate crime on the grounds of a person's belief were a priority. Discrimination on the grounds of religion or belief was prohibited under the Discrimination Act. Hate speech alluding to religious belief was punishable as agitation against a national or ethnic group and to disturb a public religious service or devotional exercise was also punishable. Religious belief as a hate motive was considered an aggravating circumstance when an offence was committed. The Government regularly consulted representatives of religious communities. It had also allocated funds for which religious communities could apply to improve their security. In addition, following the terrorist attacks in Paris and Copenhagen in 2015, the Swedish Police Authority had strengthened security measures and surveillance around religious buildings and sites. The measures taken depended on the latest assessment of the threat and risk level.

52. With regard to negative stereotypes in the media, she said that a person responsible for a publication could be held accountable for its contents, if a criminal offence was involved, such as incitement to hatred of a national or ethnic group. The press and television engaged in self-regulation, issuing guidelines on news reporting, so that the sex, ethnic origin, occupation, religious or political belief or sexual orientation of a person was not mentioned, if it was not relevant.

53. The requirement on teaching aids was that they must be up to date and must respect the human rights and democratic values of Sweden. It was up to organizers of education to ensure that teaching aids were in line with government policy and the curriculum. The National Agency for Education ran campaigns against xenophobia and similar intolerance in schools and the Schools Inspectorate carried out regular monitoring.

54. **Mr. Hellström** (Sweden) said that the Reindeer Husbandry Act regulated reindeer herding but also protected the right to the use of land and water by a Sami individual and his or her reindeer and to hunting and fishing privileges. The use of land that might jeopardize reindeer husbandry was prohibited. Where disputes arose, appeals could be taken to the Boundary Commission. The amount of legal action taken had decreased, so the Commission might be having some effect. Legal aid was provided for persons earning less than SKr 260,000 a year. Such aid covered part of a person's legal costs, including up to 100 hours of work by legal representatives. Many Sami villages had signed up for legal aid with insurance companies.

55. With regard to the question of the burden of proof, the European Court of Human Rights had ruled that the burden of proving their right to winter grazing was not fair on the Sami villages concerned: the landowner had to show title. As for the issue of permitting mining operations, a three-step process was required under a recent revision of the Minerals Act. Before mining could start, consultations had to be carried out with Sami villages, the relevant documents had to be in the Sami language and the proposed plan of operations had to be submitted to the Sami Parliament. Villages could make special conditions. Compensation was achieved through negotiations with landowners, but, where no agreement was reached, it was for the Mining Inspectorate to rule on a claim. All holders of rights — to hunting and fishing, as well as reindeer herding — were entitled to be consulted. Where a whole village was threatened by mining activities, everyone, both Sami and non-Sami, had the right to be consulted and compensated.

56. **Mr. Olsson Fridh** (Sweden) said that the Committee's comments enabled States parties to perform better. Its concluding observations would form an integral part of the Government's policies and would be published. Sweden would always respect its international obligations and maintain a human rights stance in its foreign policy.

57. **The Chair** said that Sweden had achieved much, but it was the Committee's task to help it do even better. The dialogue had been most useful. He commended the State party's feminist approach, since there were no human rights without women's rights. The Committee's only difficulty was the State party's reservations to the Covenant. The State party must also ensure that counter-terrorism activities were consistent with its human rights obligations. On its treatment of migrants, Sweden was showing the way and he hoped that the European Union would endorse its actions. He welcomed the State party's intention of ratifying the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169).

The meeting rose at 1.10 p.m.